

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

INTERNATIONAL UNION OF OPERATING  
ENGINEERS, STATIONARY ENGINEERS LOCAL 39  
PENSION TRUST FUND, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

THE BANK OF NEW YORK MELLON  
CORPORATION, THE BANK OF NEW  
YORK MELON, THE BANK OF NEW YORK  
COMPANY, INC., THE BANK OF NEW YORK, and  
THE BANK OF NEW YORK MELLON TRUST  
COMPANY, NATIONAL ASSOCIATION,

Defendants.

No. C 11-03620 WHA

**ORDER REGARDING  
EXPEDITED BRIEFING  
SCHEDULE FOR MOTION  
TO DISMISS AMENDED  
COMPLAINT**

In response to the Court's order to elect, plaintiff has elected to file an amended complaint. The amended complaint is due by **JANUARY 5**. Defendants shall file a joint motion to dismiss. The briefing schedule for the motion will be as follows. The motion will be due by **JANUARY 19**. The opposition will be due by **FEBRUARY 2**, and the reply will be due by **FEBRUARY 9**. All submissions shall be made by **NOON** on the day on which the brief is due. If needed, a hearing, will be held at **8:00 A.M. ON FEBRUARY 23**.

**IT IS SO ORDERED.**

Dated: December 21, 2011.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE